

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

REBECCA NEELEY,

Plaintiff,

v.

COMCARE, INC.

Defendant.

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No. 2:11-CV-177

RULE 26(F) DISCOVERY PLAN

Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, a meeting was held on October 12, 2011 via telephone conference between counsel for the Plaintiff, Charlton R. DeVault, Jr., and counsel for the Defendant, Douglas L. Payne, during which meeting the subject matter and deadlines addressed by Rule 26(f) of the Federal Rules of Civil Procedure were discussed, and the following plan was agreed to by counsel for the parties:

1. The parties will exchange initial disclosures required by Rule 26(a)(1) of the Federal Rules of Civil Procedure on or before November 1, 2011. The timing, form, and requirement for the other disclosures required by Rule 26(a) will be governed by the Court's Scheduling Order and/or Rule 26(a).

2. Discovery will be needed on all issues presented by this case, namely the Plaintiff's theories of liability and damages and on the Defendant's defenses. Discovery shall not be conducted in phases and is not limited to or focused on any particular issue(s). Discovery shall be completed in accordance with the Court's Scheduling Order and/or Rule 26.

3. The disclosure or discovery of electronically stored information is not anticipated to be an issue in this case. To the extent that disclosure or discovery of such information becomes an issue, the parties will meet to confer over the proper handling of the same and will supplement this Discovery Plan accordingly.

4. The Parties agree that claims of privilege or of protection as trial-preparation material, including procedures to assert these claims after production, should be governed by Rule 26(b)(5).

5. The parties agree that the limitations imposed on discovery by the Federal Rules of Civil Procedure, the Court's Scheduling Order, and/or by local rule shall govern this case without change.

Dated this 18th day of October, 2011.

Respectfully submitted,

/s/Douglas L. Payne

DOUGLAS L. PAYNE

Attorney for Comcare, BPR # 013380

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/s/Charlton R. DeVault, Jr. (with permission)

CHARLTON R. DeVAULT, JR.

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